

Applicant:  
Serial No.:  
Filing Date:  
Confirmation No.:  
For:

Paul L. Hickman  
10/751,334  
December 30, 2003  
7600  
EXERCISE SYSTEM AND METHOD WITH VIRTUAL PERSONAL  
TRAINER FOREWARNING

Docket No.: 13915.75.2  
Group: 3764



#### INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

##### U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>
_____ A1.	D348,493	7/5/94	Ashby
_____ A2.	3,602,502	8/31/71	Hampl
_____ A3.	4,112,928	9/12/78	Putsch
_____ A4.	4,151,988	5/1/79	Nabinger
_____ A5.	4,544,152	10/1/85	Taitel
_____ A6.	4,549,044	10/22/85	Durham
_____ A7.	4,571,682	2/18/86	Silverman, et al.
_____ A8.	4,659,074	4/21/87	Taitel, et al.
_____ A9.	4,642,769	2/10/87	Petrofsky
_____ A10.	4,687,195	8/18/87	Potts
_____ A11.	4,702,475	10/27/1987	Elstein et al.
_____ A12.	4,708,837	11/27/87	Baxter et al.
_____ A13.	4,842,266	6/27/89	Sweeney, Sr., et al.
_____ A14.	4,848,737	7/18/89	Ehrenfield
_____ A15.	4,927,136	5/22/90	Leask
_____ A16.	4,938,474	07/03/90	Sweeney et al.

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Paul L. Hickman  
Serial No.: 10/751,334  
Filing Date: December 30, 2003  
Confirmation No.: 7600  
For: EXERCISE SYSTEM AND METHOD WITH VIRTUAL PERSONAL  
TRAINER FOREWARNING

Docket No.: 13915.75.2  
Group: 3764

_____ A17.	4,949,993	08/21/90	Stark et al.
_____ A18.	4,959,713	9/25/90	Morotomi, et al.
_____ A19.	5,054,774	10/8/91	Belsito
_____ A20.	5,078,152	1/7/92	Bond, et al.
_____ A21.	5,086,385	2/4/92	Launey, et al.
_____ A22.	5,113,427	5/12/92	Ryoichi, et al.
_____ A23.	5,137,501	08/11/1992	Mertesdorf
_____ A24.	5,145,475	9/8/92	Cares
_____ A25.	5,195,935	3/23/93	Fencel
_____ A26.	5,256,115	10/26/1993	Scholder et al.
_____ A27.	5,292,293	03/8/1994	Schumacher
_____ A28.	5,308,296	5/3/94	Eckstein
_____ A29.	5,314,391	5/24/94	Potash, et al.
_____ A30.	5,318,491	06/7/1994	Houston
_____ A31.	5,328,420	7/12/94	Allen
_____ A32.	5,328,422	7/12/94	Nichols
_____ A33.	5,352,166	10/4/94	Chang
_____ A34.	5,382,209	1/17/95	Pasier, et al.
_____ A35.	5,387,164	2/7/95	Brown, Jr.
_____ A36.	5,433,679	7/18/95	Szymczak, et al.
_____ A37.	5,462,051	10/31/95	Oka, et al.

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Paul L. Hickman  
Serial No.: 10/751,334  
Filing Date: December 30, 2003  
Confirmation No.: 7600  
For: EXERCISE SYSTEM AND METHOD WITH VIRTUAL PERSONAL  
TRAINER FOREWARNING

Docket No.: 13915.75.2  
Group: 3764

_____ A38.	5,484,389	01/16/1996	Stark et al.
_____ A39.	5,535,664	7/16/96	Rokowski
_____ A40.	5,600,310	2/4/97	Whipple, III, et al.
_____ A41.	5,619,412	4/8/97	Hapka
_____ A42.	5,619,991	4/15/97	Sloane
_____ A43.	5,626,539	5/6/97	Piaget, et al.
_____ A44.	5,690,852	11/25/1997	Saito et al.
_____ A45.	5,697,834	12/16/97	Heumann, et al.
_____ A46.	5,720,771	2/24/98	Snell
_____ A47.	5,722,418	3/3/98	Bro
_____ A48.	5,738,612	4/14/98	Tsuda
_____ A49.	5,743,833	4/28/98	Watterson, et al.
_____ A50.	5,749,372	5/12/98	Allen, et al.
_____ A51.	5,752,897	5/19/98	Skowronski, et al.
_____ A52.	5,759,199	6/2/98	Snell, et al.
_____ A53.	5,785,630	07/28/98	Bobick et al.
_____ A54.	5,785,631	07/28/1998	Heidedke
_____ A55.	5,810,696	9/22/98	Webb
_____ A56.	5,845,230	12/1/98	Lamberson
_____ A57.	5,857,939	1/12/99	Kaufman
_____ A58.	5,865,733	2/2/99	Malinouskas, et al.

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Paul L. Hickman  
Serial No.: 10/751,334  
Filing Date: December 30, 2003  
Confirmation No.: 7600  
For: EXERCISE SYSTEM AND METHOD WITH VIRTUAL PERSONAL  
TRAINER FOREWARNING

Docket No.: 13915.75.2  
Group: 3764

_____ A59.	5,873,369	2/23/99	Lanaido, et al.
_____ A60.	5,880,677	3/9/99	Lestician
_____ A61.	5,890,995	4/6/99	Bobick, et al
_____ A62.	5,911,132	6/8/99	Sloane
_____ A63.	5,911,687	6/15/99	Sato, et al.
_____ A64.	5,917,405	6/29/99	Joao
_____ A65.	5,929,748	7/27/99	Odinak
_____ A66.	5,929,782	7/27/99	Stark
_____ A67.	5,931,763	8/3/99	Alessandri
_____ A68.	5,947,869	9/7/99	Shea
_____ A69.	5,961,561	10/5/99	Wakefield, II
_____ A70.	5,964,701	10/12/99	Asada, et al.
_____ A71.	5,967,975	10/19/99	Ridgeway
_____ A72.	5,993,356	11/30/1999	Houston et al.
_____ A73.	5,995,868	11/30/99	Dorfmeister, et al.
_____ A74.	6,010,451	1/4/00	Clawson
_____ A75.	6,013,007	1/11/00	Root, et al.
_____ A76.	6,033,344	3/7/00	Trulaske, et al.
_____ A77.	6,050,822	4/18/00	Faughn
_____ A78.	6,053,737	4/25/00	Babbit, et al.
_____ A79.	6,059,692	5/9/00	Hickman

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Paul L. Hickman  
Serial No.: 10/751,334  
Filing Date: December 30, 2003  
Confirmation No.: 7600  
For: EXERCISE SYSTEM AND METHOD WITH VIRTUAL PERSONAL TRAINER FOREWARNING

Docket No.: 13915.75.2  
Group: 3764

_____ A80.	6,066,705	05/23/2000	Calderon et al.
_____ A81.	6,132,337	10/17/00	Krupka, et al.
_____ A82.	6,148,262	11/14/2000	Fry
_____ A83.	6,152,854	11/28/00	Carmein
_____ A84.	6,162,189	12/19/00	Girone et al.
_____ A85.	6,193,631	2/27/01	Hickman
_____ A86.	6,211,451	4/3/01	Tohggi, et al.
_____ A87.	6,231,481	5/15/01	Brock
_____ A88.	6,231,482	5/15/01	Thompson
_____ A89.	6,244,988	06/12/01	Delman
_____ A90.	6,251,048	6/26/01	Kaufman
_____ A91.	6,356,856	03/12/2002	Damen et al.
_____ A92.	6,358,187	3/19/02	Smith
_____ A93.	6,450,922	09/17/02	Henderson et al.
_____ A94.	6,463,385	10/8/2002	Fry
_____ A95.	6,464,618	10/15/02	Shea
_____ A96.	6,475,115	11/5/02	Candito, et al.
_____ A97.	6,582,342	6/24/03	Kaufman, et al.
_____ A98.	6,585,622	07/01/03	Shum et al.
_____ A99.	6,605,038	08/12/2003	Teller et al.
_____ A100.	6,634,992	10/21/03	Ogawa

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Paul L. Hickman  
 Serial No.: 10/751,334  
 Filing Date: December 30, 2003  
 Confirmation No.: 7600  
 For: EXERCISE SYSTEM AND METHOD WITH VIRTUAL PERSONAL  
 TRAINER FOREWARNING

---

Docket No.: 13915.75.2  
Group: 3764

<input type="checkbox"/> A101.	6,638,198	10/28/03	Shea
<input type="checkbox"/> A102.	6,997,852	02/14/2006	Watterson et al.
<input type="checkbox"/> A103.	6,736,759	05/18/04	Stubbs et al.
<input type="checkbox"/> A104.	6,749,537	06/15/04	Hickman
<input type="checkbox"/> A105.	6,808,472	10/26/2004	Hickman
<input type="checkbox"/> A106.	6,825,876	11/30/2004	Easwar et al.
<input type="checkbox"/> A107.	7,022,047	04/04/2006	Cohen et al.
<input type="checkbox"/> A108.	7,072,789	11/30/2004	Easwar et al.

#### Foreign Patent Documents

Examiner <u>Initial*</u>	Document <u>Number</u>	Publication <u>Date</u>	Country or <u>Patent Office</u>	<u>Translation</u>
<input type="checkbox"/> A109.	WO 98/32496	7/30/98	PCT	

#### Other Documents (including author, title, pertinent pages, etc.)

Examiner  
Initial\*

- A110. *The FitLinxx Interactive Fitness Network™, Integrated Fitness Corp., brochure, 1998.*
  - A111. *Fitlinxx Interactive Fitness Network™, The Difference Between Surviving and Thriving May be as Simple as FitLinxx™, Integrated Fitness Corp., brochure, 1998.*
  - A112. *Netpulse, Networkingout--Coming Distractions: Netpulse Helps Exercisers Surf the Net at the Gym, Accomplish Several Goals at Once, www.netpulse.com, April 1998.*
  - A113. *Netpulse, Instead of having an equipment repair technician traveling over hill and dale, you may soon have equipment repaired via the internet, www.netpulse.com, July 1998.*
- 

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant:  
Serial No.:  
Filing Date:  
Confirmation No.:  
For:

Paul L. Hickman  
10/751,334  
December 30, 2003  
7600  
EXERCISE SYSTEM AND METHOD WITH VIRTUAL PERSONAL  
TRAINER FOREWARNING

Docket No.: 13915.75.2  
Group: 3764

- 
- \_\_\_\_\_ A114. Netpulse, Exercise station connects to the Net, *Now you can sweat to the Net.*, [www.netpulse.com](http://www.netpulse.com), September 1998.
- \_\_\_\_\_ A115. Netpulse, New Fitness Equipment Combines Internet, Sweat, *Now you can surf and sweat*, [www.netpulse.com](http://www.netpulse.com), January 1999.
- \_\_\_\_\_ A116. Netpulse, Hop In, Log On and Sweat, *Netpulse exercise machines are the latest Web feat*, [www.netpulse.com](http://www.netpulse.com), February 1999.
- \_\_\_\_\_ A117. Netpulse ClubWatch™, *Internet Powered Service*, brochure, April 1999.
- \_\_\_\_\_ A118. Netpulse, *State of the Art*, [www.netpulse.com](http://www.netpulse.com), February 2000.
- \_\_\_\_\_ A119. Netpulse, *Netpulse Files for Patents on its Pioneering Technology Inventions and Groundbreaking Business Methods in the Media and Fitness Markets*, [www.netpulse.com](http://www.netpulse.com), May 2000.
- \_\_\_\_\_ A120. Forbes, Digital Tool: Startups, *Sweat.equity*, [www.forbes.com](http://www.forbes.com), February 1998.
- \_\_\_\_\_ A121. *Exergaming*, en.wikipedia.org, printed October 1, 2007 (4 pages).
- \_\_\_\_\_ A122. *WIRED*, [www.wired.com](http://www.wired.com), issue 2.09, September 1994 (4 pages).
- \_\_\_\_\_ A123. “Defendant’s Amended Invalidity Contentions,” Case No. 2:05-cv-527, signed by Kirk Harris on March 16, 2007 (15 pages).
- \_\_\_\_\_ A124. “Expert Report of Dr. Brent Nelson Pursuant to Federal Rule of Civil Procedure 26(a)(2)(B),” dated March 13, 2007 (372 pages).
- \_\_\_\_\_ A125. “Netpulse Brings Free Internet Access to Fitness Centers.” Newsbytes.com, <http://www.newsbytes.com>, January 17, 2000 (1 page).
- \_\_\_\_\_ A126. “Precor and Netpulse Partner to Create the World’s First Internet Powered Elliptical.” Netpulse press release, October 1, 1999 (2 pages).
- \_\_\_\_\_ A127. “Surf While you Sweat.” ABCNEWS.com, October 27, 1998 (3 pages).
- \_\_\_\_\_ A128. “The Best Products of 1999 – Business Week’s Top Picks of the Most Innovative Products on the Market.” Business Week, December 6, 1999 (2 pages).
- 

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant:  
Serial No.:  
Filing Date:  
Confirmation No.:  
For:

Paul L. Hickman  
10/751,334  
December 30, 2003  
7600  
EXERCISE SYSTEM AND METHOD WITH VIRTUAL PERSONAL  
TRAINER FOREWARNING

Docket No.: 13915.75.2  
Group: 3764

- 
- A129. Netpulse brochure. "Catch the wwwave," available on information and belief at least as early as February 10, 2000 (6 pages).
  - A130. Netpulse, Ultra-Wired -- Infotech is supposed to make life easier-remember? Here's how to be sure it does., [www.netpulse.com](http://www.netpulse.com), August 1998.
  - A131. Winkler, William J., "Pumping Iron With a Digital Friend," Business Week, 12/18/1995, pp.78a.
  - A132. Internet Archive Wayback Machine, archive for [www. ifit.com](http://www.ifit.com), at [http://web.archive.org/web/\\*/www.ifit.com](http://web.archive.org/web/*/www.ifit.com), 9/1/2003, 1pg.
  - A133. iFIT.com "Internet Workouts Control Your Treadmill, Bike, or Elliptical," at <http://www.ifit.com>, 9/1/2003, 3 pages.
  - A134. DVD LABELED "ICON-CYB001" 881 PDF FILES 6/12/2006.
  - A135. CD-ROM LABELED "Supershow 2000," ICON-CYB 034309 Highlight Video 4/20/2006.
  - A136. CD-ROM LABELED "Supershow 1998," ICON-CYB 034310 Live Video Streaming from Logan, Utah to Atlanta, Georgia, 2/10/98.
  - A137. DVD LABELED "1998 Supershow Web Cast," ICON-CYB 034311 Raw video footage, June 2006.
  - A138. CD-ROM LABELED "Steve Young Webcast," ICON-CYB 034312, Sales Meeting 2000, June 2006.
  - A139. DVD LABELED "iFIT.com Media Coverage News Clips Ver. 3.0," March 30, 2000.

---

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Paul L. Hickman  
Serial No.: 10/751,334  
Filing Date: December 30, 2003  
Confirmation No.: 7600  
For: EXERCISE SYSTEM AND METHOD WITH VIRTUAL PERSONAL TRAINER FOREWARNING

Docket No.: 13915.75.2  
Group: 3764

### References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

JDH:jbe  
W:\13915\75.2\JBE0000012154V001.doc

---

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.